

# Chapter 6

## When and Where to File Reports

This chapter reviews when and where committees file reports disclosing receipts and expenditures. State candidates will use the Recipient Committee Campaign Statement (Form 460). (Also see Chapter 8 for additional special reports that may be required.)

Candidates and officeholders without a committee should consult Chapter 5, Officeholder/Candidate Campaign Statement—Short Form (Form 470), to determine whether a report is due and, if so, when and where to file.

Electronic filing requirements are also discussed in this chapter, and a separate section at the end of this chapter addresses filing requirements for officeholders and candidates who control more than one committee.

All reports and statements filed under the Political Reform Act are public records open for public inspection.

Campaign filing deadlines may be obtained online at [www.fppc.ca.gov](http://www.fppc.ca.gov). (Click onto “Candidates and Committees,” then click onto “Filing Deadlines.”) In addition, the Fair Political Practices Commission, the Secretary of State, and county registrars of voters are able to provide this information. However, the committee treasurer is responsible for meeting all applicable filing deadlines. No agency is required to send a reminder notice prior to the filing deadline.

Deadlines that fall on a Saturday, Sunday, or official state holiday are extended to the next business day. **This rule does not apply to reports required to be filed within 24 hours, such as the election cycle reports discussed below, and the late contribution reports and late independent expenditure reports discussed in Chapter 8; there are no other provisions for**

**extensions.** Filing after a deadline may lead to late filing penalties of \$10 for each day the statement is late, and committees that fail to file are subject to administrative penalties of up to \$5,000 per violation. Except where noted, statements filed on paper must be hand delivered or postmarked, first-class mail, by the due date.

### Electronic Reports

Certain state candidates and their controlled committees may be required to file campaign reports electronically with the Secretary of State as well as on paper. Electronic filings are required of state candidates and their controlled committees once contributions totaling \$50,000 or more have been received or expenditures totaling \$50,000 or more have been made. The period for cumulating contributions and expenditures began January 1, 2000. The cumulation period is open and not based on a calendar year.

Until a candidate has triggered the electronic filing requirements, only paper reports are required. However, once electronic filing requirements have been triggered, **all** future reports filed by the candidate’s controlled committees must be filed electronically (including local committees controlled by a state candidate), and most must also be filed on paper, including the statement of organization, certain late contribution reports, etc. In addition, committee(s) may be required to file the \$5,000 and Election Cycle reports discussed below.

Until further notice, paper reports should continue to be filed with the Secretary of State and in all other required locations in addition to any reports filed electronically.

**Exception:** The \$5,000 and Election Cycle reports discussed below are not required to be filed on paper or with local filing officers,

including Election Cycle reports filed during the late contribution period.

For detailed information on electronic filing requirements, contact the Secretary of State's Office at (916) 653-6224 or <https://cafile.sos.ca.gov/CalOnline/>.

### When to File

#### \$5,000 Reports and Election Cycle Reports

##### State Candidate Controlled Committees:

Once a state candidate has reached the \$50,000 threshold at which campaign reports must be filed electronically, the candidate must begin filing the \$5,000 Reports and Election Cycle Reports discussed below. For purposes of these special electronic reports, an "election cycle" means the period of time beginning 90 days prior to an election and ending on the date of the election.

##### \$5,000 Reports

If any of a state candidate's committees receives a contribution of \$5,000 or more from a **single** contributor, including a small contributor committee, at any time other than during an election cycle, an electronic report must be filed with the Secretary of State within 10 business days.

##### Election Cycle Reports

During the 90-day election cycle preceding the candidate's election, if any of a state candidate's committees receives a contribution of \$1,000 or more from a **single** contributor, an electronic report must be filed with the Secretary of State within 24 hours.

**Example** *On January 29, 2010, a candidate for Lieutenant Governor on the June ballot received a contribution of \$6,000 from a PAC. Within 10 business days, the candidate must electronically report the contribution to the Secretary of State. On April 27, the*

*candidate received a contribution of \$10,000 from a different PAC into a committee established for a past election. Within 24 hours, the candidate must electronically report the contribution to the Secretary of State.*

The Form 497 Contribution Report is used to file both the \$5,000 and Election Cycle reports. (See Chapter 8.)



**Quick TIP** These electronic reporting requirements apply to a **single** contribution of \$5,000 or \$1,000, respectively. Two \$500 contributions from a single contributor will not trigger the Election Cycle Report **until the late contribution reporting period**. (See Chapter 8.) During the late contribution reporting period, contributions **totaling \$1,000 or more from a single source must be reported within 24 hours.**

A candidate's contributions of personal funds to his or her campaign must be reported under these requirements.

**Exception:** Transfers between a candidate's controlled committees for election to state office do not trigger these electronic reporting obligations.

#### Semi-Annual and Preelection Campaign Statements

The law sets specific deadlines for when Form 460 must be filed.

##### Semi-Annual Statements

Most committees file a semi-annual statement for each half of the year, whether or not they receive contributions or make expenditures during the six-month period. An existing committee or a committee newly formed during the first six months of the year will have a semi-annual statement due July 31 for the period January 1 - June 30.

An existing committee will have a semi-annual statement due January 31 of the

following year for the period July 1 - December 31. A committee newly formed during the last six months of the year will have a semi-annual statement due January 31 of the following year for the period January 1 - December 31.

**Example** *A State Senator is not seeking reelection and her committee did not raise or spend any funds during the calendar year. The committee must file a semi-annual statement covering the period January 1 through June 30, due on or before July 31, and a semi-annual statement covering the period July 1 through December 31, due by January 31.*

### Judges

Judges and judicial candidates are not required to file semi-annual statements during any six-month period in which they have not received or made any contributions or expenditures. This is also true for election committees controlled by judges and judicial candidates.

### Preelection Statements

In addition to semi-annual statements, controlled committees will file preelection statements before the election in which the candidate is listed on the ballot.

For specific reporting periods and filing deadlines, visit the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov) or call the FPPC for assistance.

A state officeholder not being voted on will file the two preelection reports due before the state primary and general elections if his or her controlled committee, during the period covered by the preelection statement, has made:

- **any** contribution to an officeholder, candidate, or committee; or
- **any** independent expenditure to support or oppose a measure; or

- **any** transfer of funds to a ballot measure committee he or she controls.

The second preelection statement must be filed by personal delivery or guaranteed overnight delivery by candidates being voted on in the election.

A committee controlled by a candidate for elective state office who lost in the state primary election is required to file preelection statements in connection with the general election only if the committee makes any contributions or independent expenditures to support or oppose another candidate, committee, or ballot measure during the period covered by the statement.

Candidates who will not appear on the ballot because they are running unopposed are not required to file preelection statements.

### Recall Committees

Committees established by officeholders who are the subject of a recall election (see Chapter 1) must file Form 460 on a quarterly basis according to the following schedule:

Period Covered	Filing Deadline
January 1 - March 31	April 30
April 1 - June 30	July 31
July 1 - September 30	October 31
October 1 - December 31	January 31

During the semi-annual period in which a recall election is held, a committee established by an officeholder who is the subject to the recall will file, instead of quarterly statements, two pre-election statements and a semi-annual statement in connection with the election. [Note: Recall committees also must file \$5,000 reports, Election Cycle reports, and late contribution reports.]

**Example** *Senator Don Williams is the subject of a recall election being held on September 13. In March, he formed*

*a separate committee to oppose the recall. The committee must file quarterly statements on April 30 and July 31. During the period July 1 through December 31, the committee must file two pre-election statements in connection with the election, and a semi-annual statement for the period ending December 31, due on January 31 of the following year.*

### Amendments

Except for amendments required to provide contributor information (see Chapter 2), there is no deadline for filing amendments to campaign reports. However, amendments should be filed as soon as practicable in the same locations as the original.

### Faxing Statements

Campaign statements filed on paper that contain 30 pages or less may be faxed provided that the faxed copy of the campaign statement is the exact copy of the original version. The original document with an original signature, must still be sent by first-class mail, guaranteed overnight delivery, or personal delivery within 24 hours of the filing deadline. (Because the late contribution and independent expenditure reports, Forms 496 and 497, respectively, and the Form 470 Supplement, do not require a signature, the committee is not required to send a copy after faxing.)

### Original Statements

An “original” campaign statement is one containing the original signature of the officeholder or candidate, and/or treasurer or assistant treasurer. (Forms filed electronically with the Secretary of State are also considered “originals” for certain purposes.)

### Where to File

State candidates and their controlled committees file statements based on the office sought by the candidate as shown below.

Addresses and fax numbers for **statewide** filing officers are:

#### Secretary of State

Political Reform Division  
1500 11<sup>th</sup> Street, Room 495  
Sacramento, CA 95814  
(916) 653-5045

#### Registrar-Recorder of Los Angeles County

Campaign Finance Disclosure Section  
12400 Imperial Highway  
Norwalk, CA 90650-3134  
(562) 651-2548

#### Registrar of Voters, City and County of San Francisco

Department of Elections  
Room 48, City Hall  
One Doctor Carlton B. Goodlett Place  
San Francisco, CA 94102-4635  
(415) 554-7344



**Committees controlled by state candidates must also file a copy of their campaign statements in the candidate's county of domicile, which is the county where the candidate maintains his or her permanent residence.**

### Multiple Controlled Election Committees

When a candidate or officeholder controls more than one election committee, whether the committees are formed for different elections to the same office or for a different office, all committees must file statements each time any committee statement is due.

When an elected officeholder in one jurisdiction runs for an office in **another jurisdiction**, the officeholder and all election

committees he or she controls file originally-signed campaign disclosure statements with the filing officer in the jurisdiction in which the officeholder holds office **and** the jurisdiction in which the officeholder is seeking office.

**(Example)** *Nels Nelson controls a committee for his election to the Beach County School Board. In addition, Nels formed a committee to run for Assembly in a June election. As an incumbent school board member and a candidate for Assembly, he files campaign statements for both committees with the following filing officers in connection with the June election:*

- *School Board committee files an original and one copy of the Form 460 with:*  
*County Clerk, Beach County*  
*Secretary of State*
- *Assembly committee files an original and one copy of the Form 460 with:*  
*Secretary of State*  
*County Clerk, Beach County (county with the largest number of registered voters in the Assembly district and his county of domicile)*

An officeholder who does not have a controlled committee may file the Form 470 by July 31 for the position held. If the

officeholder subsequently opens a committee to run for a different office, he or she must file the Form 460 for the required preelection and semi-annual statements. Since the Form 470 was filed in connection with a position for which the candidate does not have a committee, a Form 470 Supplement is not required. (See Chapter 5.) However, if the officeholder opens a committee prior to June 30 for election to a different office, the Form 460 must be filed by July 31 for both the position held and the office sought. The officeholder may file one Form 460 and list both the position held and the office sought on the Cover Page, Part 5.

### Controlled Ballot Measure Committees

Some officeholders and candidates also control ballot measure committees. Dates and locations for filing statements for these controlled ballot measure committees vary depending on whether the committee is a **general purpose** ballot measure committee or one that is **primarily formed** to support or oppose a particular ballot measure or measures. Such committees must always file a copy of each statement with the candidate's county of domicile. (See the FPCC's manual for ballot measure committees.)

	Filing Officers	What
<b>Statewide Offices</b> Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, State Treasurer, Superintendent of Public Instruction, Insurance Commissioner, and Supreme Court Justices:	Secretary of State Registrar/Los Angeles County Registrar/San Francisco County of domicile if different than Los Angeles or San Francisco	Original & 1 copy 1 copy 1 copy 1 copy
<b>State Offices</b> Legislature, State Board of Equalization, and Appellate Courts:	Secretary of State  County with the largest number of registered voters in the candidate's district  County of domicile if different from the county with the largest number of voters	Original & 1 copy  1 copy  1 copy



### State Primarily Formed Ballot Measure Committees

Controlled state ballot measure committees are only required to file statements when and where state ballot measure committees are normally required to file; committees controlled by the officeholder or candidate to support their election to office are not required to file in connection with the ballot measure committee schedule.

### Local Primarily Formed Ballot Measure Committees

Controlled local ballot measure committees should file according to the filing schedule provided by their local filing officer. In addition, these committees file at the same times and places the controlling officeholder or candidate is required to file campaign statements in connection with the office he or she is seeking. The candidate's controlled election committee is not required to file on the ballot measure committee schedule if he or she is not also being voted on in the election and is not required to file in the jurisdiction of the ballot measure election if that is different than the candidate's regular filing location. For example, a state candidate who controls a committee supporting a city ballot measure is not required to file campaign statements in the city for any of his or her other controlled committees.

### General Purpose Ballot Measure Committees

In addition to any other times provided by law, controlled general purpose ballot measure committees are required to file preelection statements whenever the controlling officeholder or candidate is required to file these statements in connection with an election to office.

**Example** *Teddy Graham has a committee to run for reelection to the State Senate. In addition, Teddy controls a state*

*general purpose ballot measure committee, domiciled in Beach County, that supports measures throughout the state dealing with shoreline protection. On the due date for the first preelection statement required for his reelection race, Teddy will file the following:*

- *Reelection Committee will file the Form 460 with:*
  - *Secretary of State*  
*Original and one copy*
  - *Beach County Clerk*  
*One copy*
- *Ballot Measure Committee will file the Form 460 with:*
  - *Secretary of State*  
*Original and one copy*
  - *Registrar/Los Angeles County*  
*One copy*
  - *Registrar/San Francisco*  
*One copy*
  - *Beach County Clerk*  
*One copy*

### Answering Your Questions

- Q. *Are paper copies of the electronic \$5,000 and Election Cycle reports required, and are copies required to be filed with the county filing offices?*
- A. No.
- Q. *A state officeholder filed a Form 501 and a Form 410 for a future election. The committee's bank account has not received \$1,000. Must the committee file semi-annual statements?*
- A. Yes.
- Q. *Must a contribution of \$1,000 or more received during the 90-day election cycle be reported within 24 hours if the contribution was received for a different election (for example, a contribution for the November election that is received*

during the 90 days prior to the June election)?

- A. Yes. A state candidate who is required to file electronically with the Secretary of State must file a report within 24 hours for any contribution of \$1,000 or more that is received during the 90 days before the candidate's name appears on the ballot for an elective state office.

Q. *Are the electronic \$5,000 reports and \$1,000 election cycle reports required if a contribution is received by a state candidate's legal defense committee, officeholder committee, other state or local election committee, or a general purpose ballot measure committee?*

- A. Yes. All controlled committees, except primarily formed ballot measure committees, must file these reports. For example, a general purpose ballot measure committee controlled by a state officeholder not seeking election in 2008 must file the \$5,000 report if the committee receives a contribution of \$5,000 or more during the calendar year. If the state officer is listed on the June 3, 2008 ballot, the general purpose ballot measure committee must file the \$1,000 reports beginning March 5, 2008.

Q. *Must a state candidate listed on the June 3, 2008 ballot file preelection statements for his or her legal defense committee, officeholder committee, other state or local election committees, or general purpose ballot measure committee?*

- A. Yes. All committees, except primarily formed ballot measure committees, must file preelection statements whenever the controlling candidate is required to file preelection statements in connection with election to office.

## Authority

The following Government Code sections and Title 2 regulations provide authority for the preceding information in this chapter:

## Government Code Sections

81004	<i>Reports and Statements; Perjury; Verification.</i>
81004.5	<i>Reports and Statements; Amendments.</i>
81007	<i>Mailing of Report or Statement.</i>
81007.5	<i>Faxing of Report or Statement.</i>
81008	<i>Public Records; Inspection; Reproduction; Time; Charges.</i>
82027	<i>Filing Officer.</i>
83116	<i>Violation of Title.</i>
84200	<i>Semi-Annual Statements.</i>
84200.3	<i>Odd-Year Reports in Connection with a Statewide Direct Primary Election Held in March of an Even-Numbered Year.</i>
84200.4	<i>Time for Filing Reports Required Pursuant to Section 84200.3.</i>
84200.5	<i>Preelection Statements.</i>
84200.7	<i>Time for Filing Preelection Statements for Elections Held in June or November of an Even-Numbered Year.</i>
84200.8	<i>Time for Filing Preelection Statements for Elections Not Held in June or November of an Even-Numbered Year.</i>
84203	<i>Late Contribution; Reports.</i>
84209	<i>Consolidated Statements.</i>
84215	<i>Campaign Reports and Statements; Where to File.</i>
84605	<i>Who Shall File Online.</i>
85304	<i>Legal Defense Fund.</i>
85309	<i>Online Disclosure of Contributions.</i>
85315	<i>Elected State Officer Recall Committee.</i>
85500	<i>Independent Expenditures; 24-Hour Disclosure; Coordination.</i>
91013	<i>Late Filing of Statement or Report; Fees.</i>

### **Title 2 Regulations**

- 18116     *Reports and Statements; Filing Date.*
- 18426     *Semi-Annual Statement Early Filing.*
- 18530.4   *Legal Defense Funds.*
- 18531.5   *Recall Elections.*
- 18531.62   *Elected State Officeholder Bank Accounts.*